

REMARKS

Applicants thank the Examiner for a kind and thorough review of Applicant's invention in the July 24, 2008 office action. Applicants have amended independent claims 1, 9 and 17 pursuant to the Examiner's suggestions for overcoming the cited prior art references. Additionally, claims 2-8 have been amended to provide antecedent basis for limitations in claim 1. Applicants believe that the amended claims and comments that follow place Applicants' invention as defined by claims 1-18 in condition for allowance. The amendments are in no way related to patentability and no new matter has been added. Claims 1-18 remain for consideration.

I. THE EXAMINER'S REJECTIONS

The Examiner rejected claims 1-6, 9-14, 17 and 18 under 35 U.S.C. §103(a) as being unpatentable over *Lerner*, U.S. Patent No. 6,954,799 (hereinafter "*Lerner*"), in view of *Vange* et al, U.S. Patent No. 7,143,195 (hereinafter "*Vange*"), in view of *Roberts* et al, U.S. Patent no. 6,101,486 (hereinafter "*Roberts*"). Specifically, the Examiner stated that *Lerner*, *Vange* and *Roberts* in reference to independent claims 1, 9 and 17, disclosed:

A method for redirecting a user from a second Web site to a first Web site, comprising the steps of: (1) providing, by the second Web site, a URL offering a product or service to the user, said URL specifying a program on the second Web site (column II, lines 3-9); (2) reading, by said program, a cookie located in the user's computer in response to the user activating said URL (column II, lines 9-14); (3) providing a positive determination when an inquiry by said program, from said cookie as to whether the user already possesses said product or service is true (column II, lines 32-37); (4) redirecting, by said program, the user to the first Web site when the determination of step (3) is positive determination, wherein the first Web site is specified by said cookie (column II, lines 32-37); and (5) offering, by the second Web site, to supply said product or service to the user when the determination of step (3) is negative (column II, lines 14-18); whereby the user who

already possesses said product or service will not receive duplicate offers to supply said product or service from multiple Web sites (column II, lines 32-37), whereby the user who already possesses said product or service is not shown any updated offers of the product or service [column 6 «lines 52-54»: disclosing that the user is not shown any information or advertisement for previously purchases products].
(Office Action dated July 24, 2008, pp. 5-6)

However, in view of the aforementioned prior art references, the Examiner went on to state that certain functionality in Applicant's invention may distinguish it over the prior art. The Examiner stated:

It is noted that in reviewing Applicant's specification the examiner noticed certain functionality that if included in the independent claims would distinguish over the cited prior art references. Specifically, on page 13, lines 6-13, the specification described that the user has acquired or purchased the good or service from the first website. This functionality is absent from the claims which only specify redirecting the user to a first website. In examiner's view, this functionality is important because it further defines the role of the first website in Applicant's invention. Amending the claims to additionally recite that the user purchases or acquires the good or service from the first website and that the first website places the cookie on the user's computer would clearly overcome the cited prior art references.

(Office Action dated July 24, 2008, Pg. 3)

II. THE EXAMINER'S REJECTIONS SHOULD BE WITHDRAWN

The Examiner rejected claims 1-6, 9-14, 17, and 18 under 35 U.S.C. §103(a) as being obvious in view of *Lerner*, in view of *Vange* and further in view of *Roberts*. In response, Applicants have amended independent claims 1, 9 and 17 in accordance with the Examiner's suggestions.

It should be appreciated by one of ordinary skill in the art that the present invention as described in amended independent claim 1 requires "a method for redirecting a user from a second web site to a first web site, comprising the steps of: (1)

acquiring, by the user, a product or service from the first web site, said acquisition of the product or service being made in response to an offer for the product or service by the first web site . . .” and “(2) placing, by the first website, a cookie on a computer of the user . . .” Additionally, as was previously disclosed , Applicants invention requires “(3) providing, by the second web site, a URL offering a product or service to the user, said URL specifying a program on the second web site; (4) reading, by said program, the cookie located in the user's computer through a wireless link in response to the user activating said URL . . .” and “ (5) providing an indication when an inquiry by said program, to the cookie determines that the user already possesses the product or service . . .” Also, Applicants' invention requires “ (6) redirecting, by the program, the user to the first web site when the indication of step (5) is positive, wherein the first web site is specified by the cookie; and (7) offering, by the second web site, to supply the product or service to the user when the indication of step (5) is not positive; whereby the user who already possesses the product or service will not receive duplicate offers to supply the product or service from multiple web sites, and whereby the user who possesses the product or service is not shown any updated offers of the product or service.” Similarly, amended independent claim 9 and 17 require similar limitations as amended independent claim 1.

As disclosed in claim 1 of the application, the present invention requires that a user acquire a product or service from a website that offers to supply user with the product or service. (Specification, page 13, line 6-10) In response to acquiring the product or service by the user, the website places a cookie on the computer of a user. (Specification, page 13, line 15-17) This is important because it defines the role of the

first website in redirecting the user from a second website to the first website. Subsequently, a second website may seek and read the cookie on the user's computer and redirect the user to the first website if the second website determines that the user possesses the product or service. (Specification, page 13, line 27 – page 14, line 16)

In view of the aforementioned amendments to claim 1, Applicants believe that *Lerner*, in view of *Vange* and further in view of *Roberts* fail to teach all of the elements of amended independent claim 1 of the present invention and is therefore in condition for allowance. Also, amended independent claims 9 and 17 require the same limitations as amended independent claim 1 and are also in condition for allowance. Additionally, claims 2-8, 10-16 and 18 depend upon allowable independent claims 1, 9 and 17 and are also allowable. Thus, the 35 U.S.C. § 103(a) rejection of claims 1-18 as set forth in the July 24, 2008 office action have been overcome and claims 1-18 are in condition for allowance.

III. NO NEW MATTER HAS BEEN ADDED

The amendments to the claims add no new matter. The amendments to the claims are fully supported by the specifications.

IV. CONCLUSION

Applicants submit that the specification, drawings and all pending claims represent a patentable contribution to the art and are in condition for allowance. Applicants have amended independent claims 1, 9 and 17 pursuant to the Examiner's

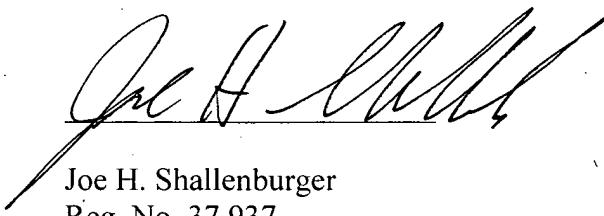
suggestions. No new matter has been added. Early and favorable action is accordingly solicited.

Should any changes to the claims and/or specification be deemed necessary to place the application in condition for allowance, the Examiner is respectfully requested to contact the undersigned to discuss the same. This Amendment is being timely filed. In the event that any additional fees are required for the entry of this amendment, the Patent and Trademark Office is specifically authorized to charge such fees to Deposit Account No. 23-0420 in the name of Ward & Olivo.

For the reasons discussed above, all pending claims are allowable over the cited art. Reconsideration and allowance of all pending claims is respectfully requested.

Respectfully submitted,

Date 10/23/08



Joe H. Shallenburger
Reg. No. 37,937
Ward & Olivo
382 Springfield Avenue
Summit, New Jersey 07901
(908) 277-3333